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ADOBE SYSTEMS INCORPORATED and
 ELECTRONIC ARTS INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

DIGITAL REG OF TEXAS, LLC,

Plaintiff,

vs.

ADOBE SYSTEMS INCORPORATED, et al.,

Defendants.

Civil Case No. 12-CV-01971 CW (KAW)

**STIPULATION AND ORDER TO
 EXTEND DEADLINES**

Judge: The Honorable Claudia Wilken
 Courtroom: 2, 4th Floor

1 WHEREAS the current case schedule includes deadlines for expert discovery in June,
2 July, and August (including a deadline for opening expert reports on June 28), and deadlines for
3 dispositive motion practice in August, September, and October (Dkt. 243 at 3);

4 WHEREAS Defendants Adobe, EA, and Symantec plan to seek leave to file an early
5 motion for summary judgment regarding whether and to what extent the defendants are licensed
6 to the patents-in-suit, and the parties believe that knowing the outcome of that motion sooner
7 rather than later will advance the just, speedy and efficient resolution of this dispute;

8 WHEREAS Defendant Ubisoft's motion to strike Digital Reg's infringement contentions
9 (Dkt. 304, filed March 14, 2013) is pending before Magistrate Judge Westmore, and the parties
10 believe that the resolution of that motion will advance the just, speedy, and efficient resolution of
11 the dispute as to these parties;

12 WHEREAS Digital Reg and Defendants Adobe, EA, and Ubisoft have discovery
13 disputes pending before Magistrate Judge Westmore, that may significantly impact expert
14 discovery, including expert reports regarding patent infringement and damages (Dkt. Nos. 304,
15 371, 372, 379 & 391);

16 WHEREAS fact discovery is closed and would not be reopened by virtue of this
17 stipulation or any resulting extension of the case schedule, except to the extent ordered by the
18 Court in conjunction with the pending discovery disputes;

19 WHEREAS, since issuing its Scheduling Order on August 30, 2012 (Dkt. 243), this
20 Court has entered limited extensions to discovery, all one month or less, *see* Dkt. Nos. 195 and
21 204 (nine-day extension for ADR filings), Dkt. Nos. 328 and 337 (one-month limited extension
22 to fact discovery), Dkt Nos. 349 and 350 (one-week extension for motions to compel), Dkt. Nos.
23 368 and 384 (one-day extension to opposition brief);

24 WHEREAS, the parties have met and conferred, and after considering various options,
25 have concluded that a 120-day extension to all current case deadlines would allow this case to
26 proceed in the most efficacious and cost-effective manner;

27 IT IS HEREBY STIPULATED by and between counsel for Digital Reg and
28 Defendants that, subject to the Court's approval and availability, a 120-day extension to all

1 current case deadlines would be appropriate to allow the Court time to consider Defendants'
2 Motion for Partial Summary Judgment, and to resolve pending discovery disputes, before the
3 case proceeds further. A [Proposed] Order containing the proposed amended schedule is
4 submitted herewith.

5 DATED: June 20, 2013

DINOVO PRICE ELLWANGER & HARDY LLP

6
7 By: /s/ Andrew G. DiNovo
Andrew G. DiNovo

8 Attorneys for Plaintiff
9 DIGITAL REG OF TEXAS, LLC

10
11 WEIL, GOTSHAL & MANGES LLP

12 By: /s/ Edward R. Reines
Edward R. Reines

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14 ADOBE SYSTEMS INCORPORATED and
15 ELECTRONIC ARTS, INC.

16 ERISE IP, P.A.

17 By: /s/ Michelle L. Marriott
18 Michelle L. Marriott

19 Attorneys for Defendant
20 UBISOFT, INC.

21 WILSON SONSINI GOODRICH & ROSATI PC

22 By: /s/ Ryan R. Smith
23 Ryan R. Smith

24 Attorneys for Defendant
25 SYMANTEC CORPORATION

ATTESTATION OF E-FILER

In compliance with Local Rule 5-1(i), the undersigned ECF user whose identification and password are being used to file this document, hereby attests that all signatories have concurred in the filing of this document.


/s/ Nathan Greenblatt
Nathan Greenblatt

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that an extension of the current cases deadlines is hereby granted, as follows:

Task	Current Date	Proposed Amended Date
Opening Expert Reports	June 28, 2013	October 30, 2013
Rebuttal Expert Reports	July 26, 2013	December 4, 2013
Further Case Management Conference Statement	August 7, 2013	7 days before Further Case Management Conference
Further Case Management Conference to discuss structure and format for claim construction proceedings and reduction of asserted claims	August 14, 2013 at 2 pm	January 15 , 2014
Completion of expert discovery	August 16, 2013	January 9, 2014
Last day to file and serve Plaintiff's Brief on Claim Construction and Dispositive Motions	August 29, 2013	77 days before Hearing
Last day to file and serve Defendants' Briefs on Claim Construction and Plaintiff's Dispositive Motions and Defendants' Dispositive Motions	September 19, 2013	56 days before Hearing
Last day to file and serve Plaintiff's Brief replying on Claim Construction and Plaintiff's Dispositive Motions and responding to Defendants' Dispositive Motions	October 10, 2013	35 days before Hearing
Last day to file and serve Defendants' Briefs replying on Defendants' Dispositive Motions	October 24, 2013	21 days before Hearing
Claim Construction hearing and hearing on dispositive motions	November 14, 2013 at 2 pm	April 3 , 2014
Further Case Management Conference	Approximately 10 days after the Court's order on claim construction and dispositive motions or as soon thereafter as convenient for the Court.	Same
Pretrial conference	April 2, 2014 at 2 pm	TBD
Trial	April 14, 2014	TBD

1
2 Dated: June 24, 2013


The Honorable Claudia Wilken
United States District Court Judge